

**HUMAN RESOURCES DIRECTORATE
PAY AND EMPLOYMENT UNIT**

Chief Executives of HSC Bodies¹;

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Your Reference: **HSC (AfC)(2) 2010**

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Dear Colleagues

AMENDMENT 16 TO THE NHS TERMS AND CONDITIONS HANDBOOK

1. This Circular informs HSC employers that NHS Employers has published a new pay circular (1/2010) that covers updates to the NHS Terms and Conditions of Service handbook. The changes cover the extension of the period of protection for on-call arrangements, equal opportunities, current legislation and good practice, and outstanding historical changes to the national review bodies.
2. The pay Circular also includes guidance on frequently asked questions as a new Annex A2 of the Handbook. The FAQs contain guidance which is intended to help in situations where, locally, the joint partners have not been able to agree a suitable way forward on an issue. The content of this Circular has been agreed with locally recognised trade unions.

Action

3. HSC employers are required to implement these arrangements for all staff on Agenda for Change Terms and Conditions of Service. Due to the extent of the changes to the Handbook as set out in the Annex to Pay Circular 1/2010, colleagues are advised to print off the new version from the NHS Employers web site at:
http://www.nhsemployers.org/SiteCollectionDocuments/afc_service_handbook_aw_010708.pdf.

¹ The Health and Social Care Board, HSC Trusts, the Public Health Agency, the Business Services Organisation, the Northern Ireland Blood Transfusion Service Agency, the Northern Ireland Guardian and Litem Agency, the Northern Ireland Practice & Education Council for Nursing, Midwifery & Health Visiting (NIPEC), the Northern Ireland Social Care Council (NISCC), the Patient & Client Council, the Northern Ireland Regulation and Quality Improvement Authority and the Northern Ireland Medical and Dental Training Agency (NIMDTA)

Enquiries

4. Enquires about the contents of this Circular should be directed to the Pay and Employment Unit of the Human Resources Directorate, Room D1.4, Castle Buildings, Upper Newtownards Road, Belfast, BT4 3SJ, telephone 028 90522832, email; p&e@dhsspsni.gov.uk.
5. Employees should direct personal enquiries to their employer.

Further Copies

6. Copies of this Circular can be obtained from the Department's extranet site at <http://extranet.dhsspsni.gov.uk> .



DIANE TAYLOR
Acting Director

Pay Circular (AforC) 1/2010

Changes to NHS Terms and Conditions of Service Handbook (amendment 16): on-call, equal opportunities, frequently asked questions and national bodies

To: All NHS employers

Summary

This pay circular informs employers of agreed changes to the NHS Terms and Conditions of Service Handbook. In Section 2 the period of protection of current on-call arrangements is extended. In Part 5, equal opportunities, there are agreed changes reflecting current legislation and good practice. Guidance on frequently asked questions is in a new Annex A2 and the Handbook has been updated, in line with changes to the remit of the NHS Pay Review Body.

Action

1. The NHS Staff Council is reviewing on-call allowances. The Council has agreed that employers should continue to use existing local and nationally agreed systems of remuneration of on-call until 31 March 2011. [Changes to the NHS Staff Council's statement on equal opportunities](#) have been agreed in the equality and diversity sub-group. There are some consequential changes to Section 34, Flexible Working Arrangements and Section 35, Balancing Work and Personal Life. Employers should review their equal opportunities policies to ensure they are in line with these provisions.

Protection of on-call allowances

2. The Staff Council has agreed that employers should continue to use existing local and nationally agreed systems of remuneration of on-call until the national review is finished.
3. Unless agreed otherwise by local partnerships, existing payments under local and nationally agreed arrangements will continue until 31 March 2011 when any new arrangements agreed by the Staff Council would start. This extended protection applies to existing staff and new starters.

Equal opportunities

4. Part of the remit of the Equalities and Diversity sub-group of the NHS Staff Council is to ensure that the national terms and conditions of service accurately reflect current legislation and good practice in the field of equality and diversity. To this end small working groups were established in 2007 to look at the Handbook from the perspective of the six main strands (age, disability, gender, race, religion or belief and sexual orientation). In addition a small group

looked at the wording in the general sections of the Handbook relating to equal opportunities. The changes proposed by the sub-group and agreed by the NHS Staff Council are in the revised Sections 30, 34 and 35, attached to this circular.

Frequently asked questions

5. The Executive of the NHS Staff Council has agreed guidance on a number of frequently asked questions (FAQs) on the Handbook provisions. These have previously been published on the Agenda for Change part of the NHS Employer's web site. Each question and answer is cross referenced to the main text of the Handbook. The FAQs' contain guidance which is intended to help in situations where, locally, the joint partners have not been able to agree a suitable way forward on an issue.

NHS Pay Review Body

6. The terms of reference of the NHS Pay Review Body have been extended to include all staff employed in the NHS, with the exception of doctors, dentists and very senior managers. This means there is no longer a role for the Pay Negotiating Council (PNC) which previously dealt with pay and conditions of service for non-medical staff not in the review body's remit. Section 40 has been revised to reflect these changes and there are consequential changes elsewhere in the Handbook, wherever there was reference to the Nursing and Other Health Professions Pay Review Body (NOHPRB) and the Pay Negotiating Council (PNC).
7. References to "Agenda for Change" have been replaced by references to the pay system set out in the Handbook. References to "workforce development confederations" have been removed

Effect of this amendment

8. This is amendment number 16 to the NHS Terms and Conditions of Service Handbook. The Sections attached to this pay circular have been revised and replace the existing sections in the Handbook.
9. Details of the changes made effective by this circular are in the Appendix attached.

Enquiries

10. Employees must direct personal enquiries to their employer.
11. Employers should direct enquiries to: agendaforchange@nhsemployers.org
12. Copies of this circular can be downloaded from: www.nhsemployers.org
13. A copy of the NHS Terms and Conditions of Service Handbook can be downloaded from the NHS Employers website at the following web address
www.nhsemployers.org/payandconditions/agendaforchnage.asp
14. Prior to the establishment of NHS Employers in November 2004, responsibility to inform the NHS of changes to pay and allowances for staff on Agenda for Change contracts rested with the Department of Health. Changes were published in Advance Letters. Copies of previous Advance Letters going back to 1995 may be obtained from the Department of Health website at the following address:
www.dh.gov.uk/letters

Issued by

Geoffrey Winnard
Head of Agenda for Change/Non-Medical Pay
NHS Employers

Annex

Pay circular (AforC) 1/2010

NHS Terms and Conditions of Service Handbook

The Sections attached to this pay circular and listed below replace the existing sections in the Handbook. The new Annex A2 becomes the new last Annex. Full details of all the textual changes are in the record of amendments, volume 2, published on the NHS Employers web site alongside the amended Handbook at:

www.nhsemployers.org

Title page

Introduction

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Principles and partnership

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Section 2: Maintaining round the clock services

Section 3: Overtime payments

Section 4: Pay in high cost areas

Section 5: Recruitment and retention premia

Section 6: Career and pay progression

Section 10: Hours of the working week

Section 11: Part-time employees and employees on fixed-term contracts

Section 12: Contractual continuity of service

Section 13: Annual leave and general public holidays

Section 14: Sickness absence

Section 15: Maternity leave and pay

Section 16: Redundancy pay

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Annex A: NHS Employers

Annex B: Pay bands and pay points

Annex C: Pay bands and pay points on the second pay spine in England from 1 April 2009

Annex J: Local recruitment and retention premium criteria

Annex P: Coverage of NHS pay review body

Annex R: Guidance on the application of nationally agreed recruitment and retention premia

Annex T: Development of professional roles

Annex U: Arrangements for pay and banding of trainees

Annex Z: Managing sickness absences – developing local policies and procedures

Annex A2: Frequently asked questions

Annex C

Table 13

Pay bands and pay points on the second pay spine in England from 1 April 2010

Point	Band 1	Band 2	Band 3	Band 4	Band 5	Band 6	Band 7	Band 8				Band 9
								Range A	Range B	Range C	Range D	
1	13,653	13,653										
2	14,008	14,008										
3	14,364	14,364										
4		14,779										
5		15,194										
6		15,610	15,610									
7		16,145	16,145									
8		16,753	16,753									
9			17,118									
10			17,604									
11			18,152	18,152								
12			18,577	18,577								
13				19,250								
14				19,933								
15				20,554								
16				21,176	21,176							
17				21,798	21,798							
18					22,663							
19					23,563							
20					24,554							
21					25,472	25,472						
22					26,483	26,483						
23					27,534	27,534						
24						28,470						
25						29,464						
26						30,460	30,460					
27						31,454	31,454					
28						32,573	32,573					
29						34,189	34,189					
30							35,184					
31							36,303					
32							37,545					
33							38,851	38,851				
34							40,157	40,157				
35								41,772				
36								43,388				
37								45,254	45,254			
38								46,621	46,621			
39									48,983			
40									51,718			
41									54,454	54,454		
42									55,945	55,945		
43										58,431		
44										61,167		
45										65,270	65,270	
46										67,134	67,134	
47											69,932	
48											73,351	
49											77,079	77,079
50											80,810	80,810
51												84,688
52												88,753
53												93,014
54												97,478

Note: with effect from 1 April 2010 pay spine point 20 in pay band 5 has been removed. The incremental date of staff on the removed pay spine point (20) will change to 1 April. Staff on pay spine point 20 on 31 March 2010 will move to the new pay spine point 20 on 1 April 2010 and will have a new incremental date of 1 April 2011. Staff on pay spine point 21 and above on 31 March 2010 will have their pay spine point re-numbered but will retain their existing incremental date where applicable and will progress to the next pay spine point on their normal incremental date. Pay spine point 20 and all the following pay spine points have been renumbered and the total pay spine is reduced from 55 to 54 points.